

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN SHERWOOD,

Defendant.

CASE NO. CR20-0155-JCC

ORDER

This matter comes before the Court on the parties' stipulated motion to continue trial and the pretrial motions deadline (Dkt. No. 28). Having thoroughly reviewed the motion and the relevant record, the Court GRANTS the motion for the reasons described below.

Trial in this matter is currently set for August 30, 2021; pretrial motions were due July 17, 2021. (Dkt. No. 25.) The parties seek a continuance of the trial date to November 29, 2021, citing the substantial amount of discovery in the case requiring additional work and investigation, and the need to adequately prepare for trial. Based on the foregoing, the Court FINDS as follows:

1. The ends of justice served by granting the requested continuance outweigh the best interests of Defendant and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

2. Taking into account the exercise of due diligence, the failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation,

1 *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see* 18
2 U.S.C. § 3161(h)(7)(B)(i).

3 3. The ends of justice will be served by ordering a continuance in this case, as a
4 continuance is necessary to ensure adequate time for the defense to review discovery and
5 effectively prepare for trial.

6 IT IS THEREFORE ORDERED that the trial date shall be continued to November 29,
7 2021, and that the pretrial motions deadline is reset to October 18, 2021.

8 IT IS FURTHER ORDERED that the resulting period of delay from the filing of the
9 motion to continue to the new trial date is hereby excluded for speedy trial purposes under 18
10 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(i), (iv).

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12 DATED this 9th day of August 2021.

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16 John C. Coughenour
17 UNITED STATES DISTRICT JUDGE
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